

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE WORLD TRADE CENTER
DISASTER SITE LITIGATION

IN RE WORLD TRADE CENTER LOWER
MANHATTAN DISASTER SITE
LITIGATION

IN RE COMBINED WORLD TRADE
CENTER AND LOWER MANHATTAN
DISASTER SITE LITIGATION

JOSEPH FUSARO AND MARIE FUSARO,

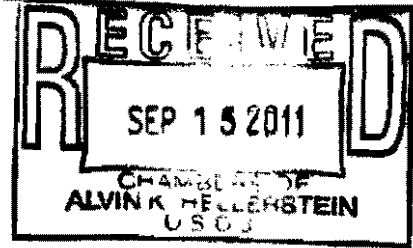
Plaintiffs,

-against-

THE CITY OF NEW YORK, *et al.*,

Defendants.

STIPULATION OF DISMISSAL
WITH PREJUDICE

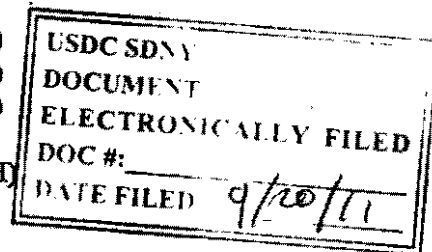


21 MC 100 (AKH)

21 MC 102 (AKH)

21 MC 103 (AKH)

10-CV-2748 (AKH)



Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiffs JOSEPH FUSARO AND MARIE FUSARO hereby stipulate to the dismissal of all Defendants identified in Exhibit 1 with prejudice and with Plaintiffs and the Defendants each to bear their own costs. Plaintiff has received no consideration for agreeing to dismiss the Defendants from this litigation.

DOUGLAS & LONDON P.C.

By:

Virginia E. Anello
Virginia E. Anello, Esq.
Michael A. London, Esq.
Attorneys for Plaintiffs
111 John Street, Suite 1400
New York, NY 10038

PATTON BOGGS LLP

By:

James E. Tyrrell, Jr.
James E. Tyrrell, Jr., Esq.
Attorneys for all Defendants
The Legal Center
One Riverfront Plaza, Suite 600
Newark, NJ 07102

Dated: September 13, 2011

Dated: September 13, 2011

SO ORDERED: *9/16/11*

Alvin K. Hellerstein
ALVIN K. HELLERSTEIN, U.S.D.J.

SO ORDERED, this _____ day of _____, 2011,

ALVIN K. HELLERSTEIN
United States District Judge

EXHIBIT 1

| | |
|--|--|
| A Russo Wrecking, Inc. | Canron Construction Corp. |
| Acrow | Cantor Seimuk Group |
| Acrow Corporation of America | Certified Fence Corp. |
| Allcom Electric | City of New York |
| Amec Construction Management, Inc. | City University of New York |
| Amec Earth & Environmental, Inc. | Civetta Cousins IV, L.L.C. |
| Anthony Cortese Specialized Hauling LLC | Clarco Enterprise Corp |
| ASG Pest Control | Clarco Enterprises Corp. |
| ASG Pest Control Services, Inc. | Clarco Enterprises LLC |
| ATC Associates, Inc. | Component Assembly Systems Inc. |
| ATC Group Serv dba ATC Associates | Coordinated Metals, Inc. |
| ATC Group Service Inc. d/b/a ATC Associates Inc. | Cord Contracting Co., Inc. |
| Atlantic Heydt Corp. | Craig Test Boring Company, Inc. |
| Atlas Concrete & Cutting | Criticom International Corp. |
| Atlas Concrete Corp | Dakota Demo Tech |
| Avanti Demolition & Carting Corp. | DCM Erectors, Inc. |
| Bechtel Associates Professional Corporation | Department of Business Services |
| Bechtel Construction, Inc. | Desimone Consulting Engineers, PLLC |
| Bechtel Corporation | Diamond Point Excavating Corp. |
| Bechtel Environmental, Inc. | Diego Construction, Inc. |
| Bergen Concrete Cutting | Diversified Carting, Inc. |
| Bergen Concrete Cutting, Inc. | DMT Enterprise, Inc |
| Berkel & Co. Contractors, Inc. | D'Onofrio General Contractors Corp. |
| Big Apple Wrecking & Construction Corp. | Eagle Leasing & Industrial Supply |
| Board of Education of the City of New York | Eagle One Roofing Contractors, Inc. |
| Borough of Manhattan Community College | Eagle Scaffolding Co. |
| Bovis Construction | EJ Davies, Inc. |
| Bovis Holdings Limited | En-Tech Corp |
| Bovis International | Entertainment Partners |
| Bovis International, Inc | Entertainment Partners Corp |
| Bovis Lend Lease Interiors, Inc. | ET Environmental |
| Bovis Lend Lease LMB, Inc. | ET Environmental Corporation, LLC |
| Bovis Lend Lease, Inc. | Evergreen Recycling of Corona |
| Breeze Carting Corp. | Ewell W. Finley, P.C. |
| Breeze Carting, Inc. | Executive Medical Services, PC |
| Breeze International | F&G Mechanical Corporation |
| Breeze National Inc. | F&G Mechanical Inc. |
| Brer Four Transportation Corp. | Felix Equities, Inc. |
| Brer-Four Transportation | Fleet Trucking, Inc. |
| Buro Happold Consult Eng. P.C. | Francis (Frank) Micelli Jr. Contracting Inc. |
| C & D Fireproofing and Plastering Corp. | Francis A. Lee Company |
| C & D Painting and Decorating, Inc. | Francis A. Lee Company, A Corporation |
| C&D Painting Inc. | Francis A. Lee Exterior Restoration, Inc |
| C. B. Contracting Corp. | Frank Micelli Jr. Contracting |
| | FTI Trucking |

EXHIBIT 1

| | |
|--|---|
| FTI Trucking Corp. | Mazzocchi Wrecking Inc. |
| G & G Contracting Inc. | Medcor |
| Gilsanz Murray Steficek, LLP | Medcor Medical and Hospital Supply |
| Gilsanz, Murray & Steficek, LLP | Medcor, Inc. |
| Gino Cracolici & Sons Inc. | Ment Bros. Iron Works Co., Inc. |
| Gino Cracouci & Sons Inc. | Ment Brothers |
| Goldstein Associates Consulting Engineers PC | Ment Brothers Iron Works |
| Goldstein Associates Consulting Engineers, PLLC | Meridian Construction Corp |
| Grace Construction & Development Corp | Moretrench American Corp. |
| Grace Contracting Corp | Moretrench Construction |
| Grace Industries | MRA Engineering, PC |
| Grace Industries, Inc. | Mueser Rutledge Consulting Engineers |
| Hallen Welding Service, Inc. | Musco Sports Lighting, LLC |
| Helmsman Management Services, Inc. | Nacirema Industries, Inc. |
| HGC Contracting Corp. | New York City Department of Education |
| High Rise Electric, Inc. | New York City School Construction Authority |
| High Rise Hoisting and Scaffolding, Inc. | New York Crane & Equipment Corp. |
| Highrise Hoisting and Scaffolding, Inc. | New York Crane Service & Equipment |
| HP Environmental | Nicholson Construction Co. |
| HP Environmental, Inc. | Nicholson/Heywood Joint Venture |
| Hudson Meridian Construction Group LLC | Off Road Welding, Inc. |
| J&P Equipment & Material Handling Co. | Office of James Ruderman LLP |
| J.P. Equipment & Rental Materials, L.L.C. | Olympic Plumbing and Heating, Corp. |
| James Ruderman LLP | Ove Arup & Partners P.C. |
| JP Equipment Rental Materials, Inc. | Parson Group LLC |
| Kevin McManus | Peter Scalamandre & Sons, Inc. |
| Koch Skanska, Inc. | Pinnacle |
| Laquila Construction, Inc. | Pinnacle Environmental Corporation |
| Laquila Construction Inc. | Plaza Construction Corporation |
| Lastrada General Contracting Corp. | Plaza Construction Management Corp |
| Leslie E. Robertson Associates Consulting Engineers PC | Pro Safety Services Inc. |
| Leslie E. Robertson Associates, R.L.L.P. | Pro Safety Services, LLC |
| Liberty Mutual Group | PT&L Contracting Corp. |
| Liberty Mutual Insurance Company | Regional Scaffold & Hoisting Co, Inc. |
| Liberty Mutual Managed Care, Inc. | Regional Scaffolding & Hoisting Co., Inc. |
| LiRo Group | Rich Mark Contracting, Inc |
| Liro, Inc. | Rich Mark Environmental Services, Inc. |
| Lockwood, Kessler & Bartlett, Inc. | Robert C. Stewart |
| Lucius Pitkin, Inc. | Robert Errat |
| LZA Tech - Div of Thornton Tomasetti | Robert L. Gerosa, Inc. |
| M.G. McLaren, PC | Robert Silman Associates |
| Manafort Brothers, Inc. | Robert Silman Associates, P.C. |
| | Rodar Enterprises Inc. |
| | Royal GM Inc. |

EXHIBIT 1

| |
|--|
| SAB Trucking Inc. |
| Safeway Environmental, Corp. |
| Semcor Equipment |
| Semcor Equipment and Manufacturing Corporation |
| Severud Associates Consulting Engineers, P.C |
| Sheldrake Organization, Inc. |
| Silverado Contractors |
| Silverado Contractors, Inc. |
| Silverite Contracting Corp. |
| Silverite Contractors |
| Simpson, Gumpertz & Heger, Inc |
| Skanska Koch, Inc. |
| Skidmore, Owings & Merrill LLP |
| Star Delta Electric |
| Stier Anderson, LLC |
| Summit Structures |
| Summit Structures LLC |
| Survivair |
| Telenet Communications, Inc. |
| The City University of New York |
| The City University of New York (CUNY) |
| The LiRo Group |
| The Port Authority of New York and New Jersey |
| Thornton Tomasetti Group |
| Thornton Tomasetti, Inc. |
| Thyssen Krupp Elevator Co. |
| Thyssenkrupp Elevator Corporation |
| Thyssenkrupp Elevator Corporation |
| Tishman Construction Corporation of New York |
| Tishman Construction Corporation of Manhattan |
| Tishman Interiors Corporation |
| Tomasetti Group |
| Toretta Trucking, Inc. |
| Torretta Trucking, Inc. |
| Total Safety Consulting LLC |
| Tucci Equipment Rental Corp. |
| Tully Construction Co., Inc. |
| Tully Construction Company |
| Tully Construction Company, Inc. |
| Tully Consulting Corp. |

| |
|--|
| Tully Environmental Inc. (aka EROC) |
| Tully Industries |
| Turner Construction Co. |
| Turner Construction Company |
| Turner Construction International |
| Turner Construction International LLC |
| Turner/Plaza, A Joint Venture |
| Ultimate Demolition/CS Hauling (Joint Venture) |
| United States Rebar |
| United States Rebar, Inc. |
| Vanguard Equipment Rentals |
| Vanguard Equities Inc. |
| Vertical Technologies |
| Vertical Technologies, Inc. |
| Vertical Technology Inc. |
| Vollmer Associates LLP |
| W. Harris & Sons Inc. |
| Walter White Trucking |
| Weeks Marine, Inc. |
| Weidlinger Associates Consulting Engineers PC |
| Weidlinger Associates P.C. |
| Whitney Contracting |
| Whitney Contracting, Inc. |
| Wolkow Braker Roofing Corp. |
| WSP Cantor Seinuk |
| Yannuzzi & Sons, Inc |
| Yannuzzi Group of Companies |
| Yonkers Contracting Company, Inc |
| Yonkers-Tully-Pegno, a Joint Venture |
| York Hunter Construction |
| York Hunter Construction, LLC |
| Ziegenfuss Drilling, Inc. |